

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:	:	
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	:	
Appln. No.:	09/820,054	: Examiner: Etienne Pierre Leroux
	:	
Filing Date:	March 28, 2001	: Attorney Docket No.: 10397-1U1
	:	
Title:	SYSTEM AND METHOD FOR NETWORK ADMINISTRATION AND LOCAL ADMINISTRATION OF PRIVACY PROTECTION CRITERIA	

**5th AMENDED APPEAL BRIEF (37 C.F.R. § 41.37)**

This brief is being timely filed in response to the “Notification of Non-Compliant Appeal Brief” (the “Notification”) mailed March 9, 2009. No extension of time fees are due. The fees required under § 41.20 were paid when the original Appeal Brief was filed and no additional appeal-related fees are believed to be due. However, if any fees are due, charge the fees to Deposit Account No. 50-1017.

Please replace pages 2-3 and 28 of the **4th AMENDED APPEAL BRIEF** filed on February 4, 2009 with the following replacement pages 2-3 and 28.

The following non-substantive changes were made in this amended Appeal Brief:

1. Page 28 now refers to **Section (X) Related proceedings Appendix**. The references to Sections X. APPENDIX OF RELATED DECISIONS and XI. OTHER MATERIAL THAT APPELLANT CONSIDERS NECESSARY OR DESIRABLE that appeared in the 4<sup>th</sup> Amended Appeal Brief were deleted.

2. A revised Table of Contents is provided. The second page of the Table of Contents was amended to reflect the revised Section X and the deletion of the original Sections X and XI.

The Notification states that the heading “RELATED APPEALS AND INTERFERENCES” is missing from the Appeal Brief. Applicant respectfully traverses this statement. Section II on page 4 of the 4<sup>th</sup> Amended Appeal Brief includes this heading.

Pursuant to the Notification, only the amended sections are enclosed.

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	<p><b>PART 1.</b> Claims 1, 2, 4-8, 10-17, 19-23 and 25-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker in view of Shrader..... 7</p> <p>A. There is a clear error in the Examiner’s Rejection of claims 1, 7, 12, 16, 22 and 27 because Walker et al. in view of Shrader do not disclose or suggest any of the steps (a)-(c) of claims 1 and 16, at least step (c) of claims 7 and 22, and at least step (a) of claims 12 and 27..... 7</p> <p>    i. Background to Applicants’ Invention..... 7</p> <p>    ii. Walker..... 8</p> <p>    iii. Schrader..... 9</p> <p>    iv. Walker in view of Schrader..... 13</p> <p>B. Summary of claim limitations in claims 1, 7, 12, 16, 22 and 27 that are not disclosed or suggested by Walker et al. in view of Shrader..... 14</p> <p>C. Patentability of dependent claims 2, 4-6, 8, 10-11, 13-15, 17, 19-21, 23, 25-26 and 28-30 over Walker in view of Shrader..... 16</p> <p><b>PART 2:</b> Claims 3, 9, 18 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Walker in view of Shrader and NIS 2000..... 16</p>	

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## **X. RELATED PROCEEDINGS APPENDIX**

None.

Respectively submitted,

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March 16, 2008 By: Clark Jablon  
(Date)

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